

S. C. R. No. 1, Requesting the Governor to return Senate bill No. 3 for correction.

Respectfully,
BOB BARKER,
Secretary of the Senate.

BILL SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 5, "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1929, and ending August 31, 1931, etc., and declaring an emergency."

RECESS.

On motion of Mr. Morse, the House, at 5:40 o'clock p. m., took recess until 10 o'clock a. m. tomorrow.

SEVENTH DAY

(Continued.)

(Saturday, July 13, 1929.)

The House met at 10 o'clock a. m., and was called to order by Speaker Barron.

BILL ORDERED NOT PRINTED.

On motion of Mr. Keller, House bill No. 11 was ordered not printed.

CONFERENCE COMMITTEE ON SENATE BILL NO. 14.

Mr. Young called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 14.

The Speaker laid the request of the Senate before the House.

Question — Shall the request be granted?

Mr. Young moved that the request be granted.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following free conference committee on Senate bill No. 14:

Messrs. Young, Palmer, Van Zandt, Rountree and Harman.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, July 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 10 by a vote of 23 yeas and 0 nays.

The Senate has adopted free conference committee report on Senate bill No. 3 by a vote of 23 yeas and 0 nays.

The Senate has passed

H. B. No. 13, A bill to be entitled "An Act amending Article 7043 of the Revised Civil Statutes of 1925, relative to powers and duties of the State Tax Board, and declaring an emergency," with amendments.

Respectfully,
BOB BARKER,
Secretary of the Senate.

RELATING TO SENATE BILL NO. 7.

Mr. McCombs moved that Senate bill No. 7 be printed in mimeograph form on a minority report.

Mr. Finlay raised a point of order on consideration of the motion on the ground that there was no quorum of the Committee on Appropriations present when this bill was voted upon last night.

The Speaker overruled the point of order.

Mr. Petsch raised the following point of order:

I make the point of order that the pension bill should not be printed on minority report for the following reasons:

First. Because the legislative record discloses that no quorum was present in the Appropriations Committee at the time the bill was voted out with the recommendation that it be not passed.

Second. Because the bill is in direct violation of Section 51, Article 3, of the Constitution of Texas.

The Speaker declined to rule on the point of order, stating that he would submit the matter to the House for its decision.

(Mr. Shaver in the chair.)

Question—Shall the point of order be sustained?

(Speaker in the chair.)

MESSAGE FROM THE GOVERNOR.

Mr. Mark Wiginton, assistant secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,
July 13, 1929.

To the Members of the Forty-first Legislature.

Ladies and Gentlemen: In the first message which I sent to this, the Third Called Session of the Forty-first Legislature, I discussed appropriations and stated that it was not my purpose to submit other subjects than appropriations and the amendment of Article 7043, mentioned in that message. Certain existing conditions are so important that I feel it my duty to abandon my original intention regarding the limitation of subjects for legislative consideration and call these conditions to your attention, and ask that you give them consideration. I believe that these matters are so urgent and of such importance that they would justify the call of a special session of the Legislature. Therefore, notwithstanding my original purpose, I am submitting these subjects for your consideration.

The University of Texas is resurveying all University lands in the several counties of West Texas. It seems that the law originally provided that this land should be surveyed in sections, but that it was surveyed in large blocks of a number of sections, and that the field notes for the many sections making up the University lands are not entirely accurate. I understand that there is an excess in practically all of these surveys. Each excess may not, under the law, constitute a vacancy. Some excesses may constitute vacancies, and there may be accumulations of excesses from several surveys, which will constitute a large area of vacant and unsold public domain. At this time, it is impossible to foretell just what excesses may exist and what vacancies may be developed. Likewise, it is impossible to foretell just where such vacancies may ultimately be found. Under the present statutes and Constitution of the State, such lands may be shown by the resurvey to be vacant and, therefore, a part of the unsold public domain, would belong to the permanent school fund and be subject to the law controlling the handling and disposition of public school lands.

Any vacancies which may be developed could be unsurveyed public school land and subject to filings and sales under existing laws. It is altogether possible that vacancies may exist having valuable rights because of actual or prospective mineral development, or because of actual or prospective mineral production.

Under existing law, anyone may file a letter of inquiry with the Commissioner of the General Land Office regarding any vacancies that may exist and thereby acquire a vested right and fix his right to purchase such vacancy as unsurveyed school land. Under the decision of the Supreme Court in the case of Green vs. Robison, construing the Relinquishment Act, when any such filing is so made, and the land is sold, the State reserves the mineral rights therein, but subject to the terms of the Relinquishment Act, as construed in that case. As I understand that opinion, the person making such a filing and so purchasing the land would buy the surface rights, and by such purchase would become the agent of the State to lease the land for oil development. Such purchaser would be at liberty to lease the land on the basis of seven-eighths of the oil production to the lessee and one-eighth to the lessor, of which one-eighth the purchaser would be entitled to one-half for his service as agent of the State in making the lease. It is not clear to my mind, from the statute or any decided case, whether the Relinquishment Act applies to developed and undeveloped mineral lands or only to undeveloped mineral lands. Prudence, however, forces State officers to assume that it applies to both classes of mineral lands.

It is impossible for anyone to estimate the value of these properties. It is within the range of possibility that lands having millions of dollars of value might develop to be vacancies and be thus disposed of under existing law. It has been held by the Attorney General's Department that in the sales of public school lands the value of the surface rights is the test of a fair price to the State, even though the land may be oil-bearing land, and even though this sale carries what, for practical purposes, amounts to a fifteen-sixteenths interest in the oil in the land. From the practical standpoint; thus a purchaser may buy one-sixteenth interest in a potential oil field for the value of the surface rights in the land.

In view of the possible development of vacancies, the present condition of

the law and the potential value of these lands as oil-producing lands, it seems to me to be of transcendent importance that this Legislature pass proper laws to safeguard the interest of the school fund and the University of Texas. If you are unwilling to remain in session to pass proper laws for the protection of the school fund and the University of Texas in the sale of any developed vacancies, then it seems to me that you should take steps immediately to withhold any such possible vacancies from the market, awaiting the passage of adequate laws. It is my personal judgment that it is better to pass a statute withholding this land from sale than to pass one providing for its sale. I may be in error in my judgment on this point, and you may feel that it is better to pass laws now to provide for the disposition of these lands and give the school fund and University an opportunity to secure the prices which the land would now bring.

I am further told that there are several hundred thousand acres of surveyed school land which had been forfeited to the State, and that the time within which the original purchasers may redeem these lands has passed, and that this land will be offered for sale under existing laws within the next few months. I know nothing about the value of the mineral rights in this land. It is all, as I understand, subject to filing of mineral leases by the payment of a small sum per acre. And it is all, as I further understand, subject to sale under the terms of the Relinquishment Act, resulting, as I have previously pointed out, in the State (from a practical standpoint) reserving only one-sixteenth of the oil which may be in and under such lands. These surveys, as I understand, are scattered far and wide in numerous counties of the State. I regard it of pressing importance that you likewise consider this matter and consider the passage of laws reserving to the State all mineral interests in such surveyed school lands. As oil development approaches these lands, the State could arrange, under proper laws, for the disposition of the schools' interest in the reserved mineral estate.

These two items may involve many, many millions of dollars to the University of Texas and the permanent school fund, and their consideration is, in my judgment, a matter of pressing and extraordinary importance.

I am told that Congress has made an appropriation of a large sum of money to pay the cost of constructing a post-

office in the city of Lubbock. I understand that the people of Lubbock and the authorities of the Federal government have agreed upon a postoffice site and that this property belongs to Lubbock county. It develops that the officers of the United States government have found defects in the title to this property and that it is impossible for Lubbock county to convey a satisfactory title to the property to the Federal government. A law is needed to empower Lubbock county to convey an acceptable title.

I am told that before another session of the Legislature convenes the appropriation made for the construction of this postoffice building would lapse. I think it is important to Lubbock county that you pass some bill to relieve this emergency.

You will recall that the State of Texas owns the streets in certain parts of the city of Austin. Bonds have been voted in this city to carry forward a paving program, and this program is now in progress. It develops that it will be difficult, if not impossible, to finance the deferred payments for this paving unless the Legislature gives the city of Austin and persons owning property that abuts State-owned streets some character of legislative relief. I am told by the managing officers of the city of Austin that in certain sections the streets have been torn up preparatory to paving, and that since this has been done it has developed that the deferred payments for the paving work cannot be financed because the title to the streets is in the State of Texas. This, in my judgment, is of importance and justifies its submission for your consideration.

During the last several years the city of Brownwood and Brown county have been active in efforts to create a water improvement or water control and improvement district for the purpose of impounding certain waters for irrigation purposes. Bonds have been voted and part of the bonds issued. It develops that one of the officers of the district created has issued a part of the bonds, but has become incapacitated to issue the remainder of the bonds. I understand that the work is in progress, or that the preliminary steps have been taken, but that it cannot be prosecuted to completion unless legislative authority is given respecting the issuance of bonds which have been voted. This subject is considered as of sufficient importance to merit your consideration at this time.

I hope that the consideration of these subjects will not detain you longer than you would otherwise remain here in acting upon the appropriation bills. I feel constrained to submit them because of my understanding of their urgency.

Regarding appropriations, permit me to add this word: There is a point which I believe it would be well to remember. It is economy of time to be patient with the conference committees and give them time to balance the appropriation bills and bring them within the revenues. By the term "balance the appropriation bills," I mean seeing that you do not appropriate more money to one department or institution than is needed and fail to appropriate as much money as is needed to some other department or institution. If the bills should not be balanced in this sense of the term, it would create a necessity for further legislative consideration. As you know, appropriation bills cannot be balanced by the use of the veto power, because that power cannot be used to add to, but only to take from, in whole items. It, therefore, seems to me that it would be an economy of time to see to the balancing of the appropriation bills now. It will take less time now than later.

Some of your members have been urging me to submit other subjects. I would like to comply with these requests, but I do not want to submit any more subjects than absolute necessities require.

Respectfully submitted,
DAN MOODY,
Governor of Texas.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Rountree:

H. B. No. 14, A bill to be entitled "An Act authorizing Lubbock county to convey to the United States of America title to any portion of its land located and situated in the city of Lubbock, commonly known and designated as the courthouse square, and validating all acts of said county or its lawful agents and representatives heretofore done in pursuance of said purpose or that may hereafter become necessary to convey said land to the satisfaction of the United States of America, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Morse, Mr. Hogg and Mr. Thompson:

H. B. No. 15, A bill to be entitled "An Act to permit the Trinity Valley and Northern Railway Company to take up and remove that portion of its road-bed lying between Fullerton and Lumm and to remove all tracks, interlockers, bridges, culverts and other materials and equipment belonging to said company within that area, and declaring an emergency."

Referred to Committee on Common Carriers.

BILL ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Rountree, House bill No. 14 was ordered not printed.

HOUSE BILL NO. 14 ON SECOND READING.

Mr. Rountree moved that the constitutional rule requiring bills to be read in three several days be suspended and that House bill No. 14 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Harrison.
Ackerman.	Hines.
Albritton.	Hogg.
Avis.	Hopkins.
Baker.	Hornaday.
Bateman.	Johnson
Bond.	of Dimmit.
Bounds.	Johnson of Smith.
Brice.	Johnson of Scurry.
Carpenter.	Justiss.
Chastain.	Keller.
Conway.	Kennedy.
Cox of Navarro.	King.
Cox of Lamar.	Long of Houston.
Cox of Limestone.	Long of Wichita.
Davis.	Loy.
DeWolfe.	Magee.
Dunlap.	Marks.
Enderby.	Martin.
Ewing.	Mauritz.
Eickenroht.	Maynard.
Finn.	McCombs.
Finlay.	McDonald.
Forbes.	McGill.
Gerron.	Mehl.
Giles.	Minor.
Graves	Moore.
of Williamson.	Mosely.
Graves of Erath.	Mullally.
Hardy.	Murphy.
Harding.	Negley.

Nicholson.	Speck.
O'Neill.	Stephens.
Palmer.	Stevenson.
Patterson.	Storey.
Pavlica.	Tarwater.
Petsch.	Thompson.
Pool.	Thurmond.
Prendergast.	Turner.
Purl.	Van Zandt.
Quinn.	Veatch.
Renfro.	Waddell.
Richardson.	Wallace.
Rogers.	Walters.
Rountree.	Warwick.
Sanders.	Webb.
Savage.	Westbrook.
Shaver.	White.
Shelton.	Wiggs.
Sherrill.	Williams
Simmons.	of Travis.
Sinks.	Woodruff.
Snelgrove.	

Present—Not Voting.

Lemens.	Reid.
Tillotson.	

Absent.

Acker.	Keeton.
Adkins.	Kemble.
Anderson.	Land.
Baldwin.	Lee.
Barnett.	Mankin.
Beck.	McKean.
Bradley.	Metcalfe.
Brooks.	Montgomery.
Coltrin.	Morse.
Gates.	Olsen.
Gilbert.	Pope of Jones.
Harman.	Pope of Nueces.
Harper.	Ray.
Holder.	Williams
Hubbard.	of Sabine.
Jenkins.	Young.

Absent—Excused.

Duvall.	Kincaid.
Fuchs.	Kinnear.
Heaton.	Reader.
Hefley.	Strong.
Jones.	Williams
Kayton.	of Hardin.
Kenyon.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 14, A bill to be entitled "An Act authorizing Lubbock county to convey to the United States of America title to any portion of its land located and situated in the city of Lubbock, commonly known and designated as the courthouse square, and validating all acts of said county or its lawful agents and representatives heretofore done in

pursuance of said purpose, or that may hereafter become necessary to convey said land to the satisfaction of the United States of America, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 14 ON THIRD READING.

The Speaker then laid House bill No. 14 before the House, on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Martin.
Albritton.	Mauritz.
Avis.	Maynard.
Baker.	McCombs.
Bond.	McDonald.
Brice.	McGill.
Carpenter.	Mehl.
Chastain.	Metcalfe.
Conway.	Minor.
Cox of Navarro.	Moore.
Cox of Lamar.	Mullally.
Cox of Limestone.	Murphy.
Davis.	Negley.
DeWolfe.	Nicholson.
Dunlap.	O'Neill.
Enderby.	Palmer.
Ewing.	Patterson.
Eickenroht.	Pavlica.
Finn.	Petsch.
Finlay.	Pool.
Forbes.	Prendergast.
Gerron.	Purl.
Gilbert.	Quinn.
Giles.	Renfro.
Graves	Richardson.
of Williamson.	Rogers.
Graves of Erath.	Rountree.
Hardy.	Sanders.
Harding.	Savage.
Harrison.	Shaver.
Hines.	Shelton.
Hogg.	Sherrill.
Hopkins.	Simmons.
Hornaday.	Sinks.
Johnson	Snelgrove.
of Dimmit.	Speck.
Johnson of Smith.	Stephens.
Johnson of Scurry.	Stevenson.
Justiss.	Storey.
Keller.	Tarwater.
Kemble.	Thompson.
Kennedy.	Thurmond.
King.	Turner.
Long of Houston.	Van Zandt.
Long of Wichita.	Veatch.
Loy.	Waddell.
Magee.	Wallace.
Marks.	Walters.

Warwick.
Webb.
Westbrook.
White.

Wiggs.
Williams
of Travis.
Woodruff.

Present—Not Voting.

Lemens.
Reid.

Tillotson.

Absent.

Acker.
Ackerman.
Adkins.
Anderson.
Baldwin.
Barnett.
Bateman.
Beck.
Bounds.
Bradley.
Brooks.
Coltrin.
Gates.
Harman.
Harper.
Holder.
Hubbard.

Jenkins.
Keeton.
Land.
Lee.
Mankin.
McKean.
Montgomery.
Morse.
Mosely.
Olsen.
Pope of Jones.
Pope of Nueces.
Ray.
Williams
of Sabine.
Young.

Absent—Excused.

Duvall.
Fuchs.
Heaton.
Hefley.
Jones.
Kayton.
Kenyon.

Kincaid.
Kinnear.
Reader.
Strong.
Williams
of Hardin.

HOUSE BILL NO. 13, WITH SENATE AMENDMENTS.

Mr. McCombs called up, with Senate amendments, for consideration of the amendments,

H. B. No. 13, A bill to be entitled "An Act amending Article 7043, of the Revised Civil Statutes of the State of Texas, 1925, relating to the powers and duties of the State Tax Board in respect to calculating the ad valorem rate of taxes for State purposes each year; prescribing the duties of such Board, the duties of tax assessors, and providing methods by which the tax rate is fixed in respect to public free school purposes, and providing that said Board shall fix a rate that will yield and produce for such fiscal years an amount not exceeding seventeen and one-half dollars per capita for all children within the scholastic age, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. McCombs, the House concurred in the Senate amendments by the following vote:

Yeas—100.

Mr. Speaker.
Albritton.
Avis.
Baker.
Bond.
Brice.
Carpenter.
Chastain.
Conway.
Cox of Navarro.
Cox of Lamar.
Cox of Limestone.
Davis.
DeWolfe.
Dunlap.
Enderby.
Ewing.
Finn.
Finlay.
Forbes.
Gerron.
Gilbert.
Giles.
Graves
of Williamson.
Graves of Erath.
Hardy.
Harding.
Harrison.
Hines.
Hogg.
Hopkins.
Hornaday.
Johnson
of Dimmit.
Johnson of Smith.
Johnson of Scurry.
Justiss.
Keeton.
Keller.
Kemble.
Kennedy.
King.
Long of Houston.
Long of Wichita.
Magee.
Marks.
Martin.
Mauritz.
Maynard.
McCombs.
McDonald.

McGill.
Mehl.
Metcalf.
Minor.
Moore.
Morse.
Mosely.
Mullally.
Murphy.
Negley.
Nicholson.
O'Neill.
Palmer.
Patterson.
Pavlica.
Petsch.
Pool.
Prendergast.
Purl.
Quinn.
Renfro.
Rogers.
Rountree.
Sanders.
Savage.
Shaver.
Shelton.
Sherrill.
Simmons.
Sinks.
Snelgrove.
Speck.
Stephens.
Stevenson.
Storey.
Tarwater.
Thompson.
Thurmond.
Turner.
Van Zandt.
Veatch.
Waddell.
Wallace.
Walters.
Warwick.
Webb.
Westbrook.
White.
Wiggs.
Williams
of Travis.
Woodruff.

Absent—Excused.

Lemens.

Tillotson.

Absent.

Acker.
Ackerman.
Adkins.
Anderson.
Baldwin.
Barnett.
Bateman.

Beck.
Bounds.
Bradley.
Brooks.
Coltrin.
Eickenroht.
Gates.

Harman.	Montgomery.
Harper.	Olsen.
Holder.	Pope of Jones.
Hubbard.	Pope of Nueces.
Jenkins.	Ray.
Land.	Reid.
Lee.	Richardson.
Loy.	Williams
Mankin.	of Sabine.
McKean.	Young.

Absent—Excused.

Duvall.	Kincaid.
Fuchs.	Kinnear.
Heaton.	Reader.
Hefley.	Strong.
Jones.	Williams
Kayton.	of Hardin.
Kenyon.	

BILL AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following bill and resolution:

S. B. No. 3, "An Act appropriating \$2,750,000 per year, or so much thereof as may be necessary, for the next two fiscal years, for the purpose of promoting the public school interest of rural schools, etc., and declaring an emergency."

H. C. R. No. 4, Relating to a mental clinic in Texas for ex-service men.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, July 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 3, Relating to sanitary survey made by State Health Officer.

Respectfully,

BOB BARKER,
Secretary of the Senate.

COMMUNICATION FROM STATE DEPARTMENT OF HEALTH.

The Speaker laid before the House and had read the following communication:

State Department of Health.

Austin, Texas, July 13th, 1929.

Hon. Lieutenant Governor Barry Miller, President of the Senate, and Hon. W. S. Barron, Speaker of the House of Representatives.

Gentlemen: In compliance with con-

current resolution No. 3, an inspection of the Capitol building and grounds has been begun. Special reference to typhoid fever is made in the resolution, and it is taken for granted that an inspection of those conditions which might lead to the transmission of typhoid fever was the desire of the House and Senate.

Since typhoid fever is a disease contracted through food or other matter which enters the alimentary tract, samples of water taken from the taps in the Capitol and on the grounds which are used for drinking purposes have been taken and a report of the result of the analysis will be made as soon as the examination has been completed.

An investigation of the conditions of the plumbing in the Capitol is also under way, but on account of the number of connections a report of the conditions cannot be made at this time, but will be made as soon as completed.

We find that fruit, candy and other foods are peddled and sold inside the Capitol building and grounds, but we cannot locate such peddlers, since no permits are granted them by the State Department of Health and there is no record of such individuals so far as we know with the State Department of Health. Outside of the peddlers in the building and on the grounds, there is but one food-handling establishment, which is found in the west end of the building, on the first floor, near the end of the corridor.

At 9:30 o'clock on July 13th, 1929, two days after the passage of your resolution, an inspection of that establishment was made. Your attention is called, first, to the fact that no adequate method of sterilizing the dishes used has been installed. They are occasionally washed in hot water drained from the coffee urn.

The accumulation of much filth was found under and back of the ice boxes and the food containers. The drain on one ice box was not connected with the sewer, nor was there any trap which would keep the gas from below the ice box entering the ice box. One garbage can was uncovered and harbored a number of flies. The water in the ice box was filthy and a disagreeable odor was very apparent.

There is attached to the original of this report a white handkerchief purchased from the same establishment at the time of the inspection. On that handkerchief will be found wipings. Wiping No. 1 came from the ice box; Wiping No. 2, from the second ice box;

Wiping No. 3, from the sink; Wiping No. 4, from the cigar case; Wiping No. 5, from the pan in which the doughnuts are kept; Wiping No. 6, from the showcase where the pies are kept; Wiping No. 7, from the floor; and Wiping No. 8, from the ice box in which the milk was found. The milk bottles were found to be lying on their sides in the water from which this filth was taken.

A further investigation shows that six individuals are employed in this establishment, as follows: Mr. A. F. Nichols, Mrs. A. F. Nichols, Morris Beverly Nichols, Miss Florence Deen, Miss Margaret Collier, and A. F. Nichols, Jr.

A specimen of the feces and urine of these individuals has been requested and brilliant green containers have been furnished them in an effort to locate anyone who may be a carrier of typhoid fever. Five days will be required to complete this analysis, and a report will be made at that time.

It was found that some of the sandwiches are bought from Caldwell's and others from some unknown person, whose name will be furnished later. The milk and cream come from Mrs. C. B. Harvey's dairy; the cakes and pies from the American Bakery and the Dixie Cookie Company, and the ice cream from the Bell Ice Cream Company.

The control of food handlers within the city of Austin is within the jurisdiction of the city health department. This department has been asked to investigate the condition of these establishments from which this food was secured, with a sanitary inspection and also a brilliant green test on the employees, to detect carriers. We are informed that at this time the city health department is investigating cases of typhoid fever in the city and is making every effort to trace the cause of the disease, if such should exist outside the Capitol building and grounds, for the reason that this resolution did not call for an investigation covering establishments outside of the Capitol grounds.

We shall be glad to appear before your committee and answer any questions relative to this inspection and other conditions found in the Capitol, or furnish any other information that we may be able which might result in the check of this epidemic.

Very respectfully submitted,

H. N. BARNETT,
Acting State Health Officer;

W. A. DAVIS,
Registrar, Bureau Vital Statistics.

RELATING TO SURVEY OF THE CAPITOL PREMISES.

The Speaker laid before the House and had read the following resolution: S. C. R. No. 3, Relating to survey of Capitol grounds.

Whereas, On July 11, 1929, House concurrent resolution No. 3 directed the State Health Officer to make a sanitary survey of the Capitol building and grounds, and in compliance with this resolution the State Health Officer has this day submitted his report as to the sanitary condition of the cold drink and lunch stand located in the hallway on the ground floor of this building, showing that this cold drink and lunch stand is in a very unsanitary condition and that it is a menace to the public health; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the State Health Officer is hereby directed to immediately close this cold drink and lunch stand and not permit the same to be reopened in any hallway in this Capitol building, and that no food or drink of any kind or character be allowed to be sold in the Capitol building until permission has been obtained from the chairman of the Board of Control and the State Health Officer.

The resolution was read second time.

Mr. Hornaday moved that further consideration of the resolution be postponed until 2 o'clock p. m. today.

On motion of Mr. Pool, the motion to postpone was tabled.

RECESS.

On motion of Mr. DeWolfe, the House, at 12:25 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by Speaker Barron.

RELATING TO SURVEY OF THE CAPITOL PREMISES.

The House resumed consideration of pending business, same being Senate concurrent resolution No. 3, Relating to survey of Capitol premises.

Mr. Hornaday offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 3 by striking out "permanently" after "closed" and add: "until same is

brought under sanitary conditions to be approved by the Board of Health and thereafter inspections to be made as often as necessary."

Mr. Hardy moved to table the amendment.

Yeas and nays were demanded, and the vote recorded was as follows:

Yeas—32.

Mr. Speaker.	Moore.
Acker.	Morse.
Albritton.	Mullally.
Avis.	Negley.
Baker.	O'Neill.
Chastain.	Pool.
Conway.	Prendergast.
Dunlap.	Purl.
Ewing.	Savage.
Eickenroht.	Stephens.
Graves	Tarwater.
of Williamson.	Thompson.
Hardy.	Thurmond.
Kemble.	Walters.
Long of Houston.	Warwick.
Long of Wichita.	Williams
McCombs.	of Travis.

Nays—43.

Bond.	Kennedy.
Bounds.	King.
Brice.	Marks.
Carpenter.	Martin.
Coltrin.	Mauritz.
Cox of Lamar.	Maynard.
Cox of Limestone.	McDonald.
Davis.	Metcalf.
DeWolfe.	Palmer.
Enderby.	Pavlica.
Finlay.	Quinn.
Forbes.	Richardson.
Fuchs.	Rogers.
Gerron.	Shelton.
Giles.	Sherrill.
Graves of Erath.	Simmons.
Harman.	Sinks.
Harrison.	Speck.
Hines.	Stevenson.
Hornaday.	Tillotson.
Johnson of Smith.	Van Zandt.
Johnson of Scurry.	Veatch.
Justiss.	

Present—Not Voting.

Wiggs.

Absent.

Ackerman.	Brooks.
Adkins.	Cox of Navarro.
Anderson.	Finn.
Baldwin.	Gates.
Barnett.	Gilbert.
Bateman.	Harding.
Beck.	Harper.
Bradley.	Hogg.

Holder.	Patterson.
Hopkins.	Petsch.
Hubbard.	Pope of Jones.
Jenkins.	Pope of Nueces.
Johnson	Ray.
of Dimmit.	Reid.
Keeton.	Renfro.
Keller.	Rountree.
Land.	Sanders.
Lee.	Shaver.
Lemens.	Snelgrove.
Loy.	Storey.
Magee.	Turner.
Mankin.	Waddell.
McGill.	Wallace.
McKean.	Webb.
Mehl.	Westbrook.
Minor.	White.
Montgomery.	Williams
Mosely.	of Sabine.
Murphy.	Woodruff.
Nicholson.	Young.
Olsen.	

Absent—Excused.

Duvall.	Kincaid.
Heaton.	Kinnear.
Hefley.	Reader.
Jones.	Strong.
Kayton.	Williams
Kenyon.	of Hardin.

Mr. McCombs raised a point of order that there was no quorum present.

The Speaker sustained the point of order.

Mr. Hardy moved a call of the House for the purpose of securing and maintaining a quorum, and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

ADJOURNMENT.

Mr. Purl moved that the House adjourn until 10 o'clock a. m. next Monday.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—41.

Acker.	Harrison.
Ackerman.	Hines.
Albritton.	Hopkins.
Bounds.	Hornaday.
Carpenter.	Johnson of Smith.
Chastain.	Johnson of Scurry.
DeWolfe.	Justiss.
Ewing.	Kemble.
Eickenroht.	Long of Houston.
Forbes.	Long of Wichita.
Gerron.	Marks.
Hardy.	Martin.
Harman.	McCombs.

Moore.	Tarwater.
Mullally.	Thompson.
Palmer.	Veatch.
Pavlica.	Walters.
Pool.	Westbrook.
Purl.	Wiggs.
Renfro.	Williams
Simmons.	of Travis.

Nays—37.

Avis.	McDonald.
Baker.	Metcalfe.
Bond.	Morse.
Brice.	Negley.
Coltrin.	O'Neill.
Conway.	Prendergast.
Cox of Lamar.	Quinn.
Cox of Limestone.	Richardson.
Davis.	Rogers.
Finlay.	Rountree.
Fuchs.	Savage.
Giles.	Shelton.
Graves	Sherrill.
of Williamson.	Sinks.
Graves of Erath.	Speck.
Keller.	Stevenson.
Kennedy.	Storey.
King.	Tillotson.
Mauritz.	Van Zandt.

Present—Not Voting.

Dunlap. Stephens.

Absent.

Adkins.	McGill.
Anderson.	McKean.
Baldwin.	Mehl.
Barnett.	Minor.
Bateman.	Montgomery.
Beck.	Mosely.
Bradley.	Murphy.
Brooks.	Nicholson.
Cox of Navarro.	Olsen.
Enderby.	Patterson.
Finn.	Petsch.
Gates.	Pope of Jones.
Gilbert.	Pope of Nueces.
Harding.	Ray.
Harper.	Reid.
Hogg.	Sanders.
Holder.	Shaver.
Hubbard.	Snelgrove.
Jenkins.	Thurmond.
Johnson	Turner.
of Dimmit.	Waddell.
Keeton.	Wallace.
Land.	Warwick.
Lee.	Webb.
Lemens.	White.
Loy.	Williams
Magee.	of Sabine.
Mankin.	Woodruff.
Maynard.	Young.

Absent—Excused.

Duvall.	Kincaid.
Heaton.	Kinnear.
Hefley.	Reader.
Jones.	Strong.
Kayton.	Williams
Kenyon.	of Hardin.

The House, accordingly, at 2:30 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

APPENDIX.

COMPENSATION OF STATE LEGISLATORS.

I print the following statement of compensation of State legislators in the Journal for the information of members of the Legislature. The statement was received by me from the American Taxpayers' League, Washington, D. C.

W. S. BARRON, Speaker.

Alabama: \$4 a day while in session; \$4 a day travel and living expenses, stenographic hire, stamps, telephone and telegraph, etc.

Arizona: \$15 a day for regular and special sessions; 20 cents per mile one way, once each session.

Arkansas: \$1000 per term of two years, and extra sessions.

California: \$1200 per annum, term two years; 10 cents per mile one way, each session.

Colorado: \$1000 for two years, and actual traveling expenses once each way.

Connecticut: \$300 for term of two years; 10 cents per mile each way each day they attend session.

Delaware: \$10 a day while in session; 10 cents per mile daily to and from Capitol by automobile, 3½ cents per mile daily, for those using other transportation.

Florida: \$6 a day while in session; 10 cents per mile each way each session.

Georgia: \$7 a day while in session, limited to 60 days; 10 cents per mile each way each session.

Idaho: Members \$5 a day, Speaker \$7.50 a day, for 60-day session.

Illinois: \$3500 for a term of two years; weekly mileage to and from the Capitol during session; \$50 for stationery and incidentals.

Indiana: \$10 a day during session for actual attendance; mileage for one trip to and from Capitol during session.

Iowa: \$1000 for regular session of 100 days; \$500 allowed for expenses per

session, includes mileage to and from Capitol, hotels, etc.

Kansas: \$3 a day while in session.

Kentucky: Members \$10 a day while in session, Speaker \$15 a day, Lieutenant Governor \$15 a day; mileage to and from Capitol each session.

Louisiana: \$10 a day while in session; 10 cents per mile to and from Capitol not to exceed three trips during session.

Maine: Members \$600 for session, Pro Tem. \$700 for session, Speaker \$700 for session; 20c per mile one way each session; revenue statute, fountain pen, three newspapers, Maine Register, \$10 postage stamps.

Maryland: \$5 a day while in session.

Massachusetts: Members \$2000 a year, Pro Tem. \$4000 a year; Speaker \$4000 a year; \$4.20 per mile one way each session.

Michigan: \$3 a day or \$2190 for two-year term.

Minnesota: \$1000 for two years.

Mississippi: \$1000 for regular session, \$10 a day for special session.

Missouri: \$5 a day for 70-day regular and revision session, \$1 a day thereafter spent in session.

Montana: \$10 a day while in session.

Nebraska: \$800 biennially, \$10 a day for special session limited to ten days; 10 cents a mile one way each term, one trip.

Nevada: \$10 a day for regular and special session; 10 cents a mile one way each session.

New Hampshire: \$200 biennial session, \$3 a day special session; approximately 10 cents per mile one way each session.

New Jersey: \$500 a year; free transportation from railroads within State to Capitol.

New Mexico: \$5 a day while in session; railroad fare to and from Capitol each session.

New York: \$2500 a year; 10 cents per mile one way each session.

North Carolina: \$600 biennial session; railroad fare to and from Capitol each session.

North Dakota: \$5 a day while in session; railroad fare to and from Capitol each session.

Ohio: \$1000 per year; railroad fare once each week during session.

Oklahoma: \$6 a day for 60 days of regular session, \$2 a day thereafter.

Oregon: \$3 a day while in session.

Pennsylvania: \$3000 biennial session; 5 cents a mile each way for week;

\$150 postage biennial, \$50 postage for each special session.

Rhode Island: \$5 a day while in session; 8 cents per mile each way, daily.

South Carolina: \$400 per annum; railroad fare one trip each session; small amount for stamps, stationery, etc.

South Dakota: \$5 per day while in session.

Tennessee: \$4 a day while in session; railroad fare to and from Capitol.

Texas: \$5 a day for first 60 days' Regular Session, \$2 a day balance of Regular Session, special session \$5 a day; \$5 for each 25 miles traveling to and from Capitol.

Utah: \$4 a day while in session; 10 cents a mile one way each session.

Vermont: \$400 per session; 10 cents a mile each way each session.

Virginia: \$720 for 60-day session, \$360 for special session.

Washington: \$5 a day for actual attendance during session; 10 cents a mile each way each session.

West Virginia: \$500 per year; 10 cents a mile each way each session.

Wisconsin: \$500 biennial session; 10 cents a mile each way each session.

Wyoming: \$12 a day while in session, limited to 40 days; 15 cents a mile each way each session.

STANDING COMMITTEE REPORTS.

The Committee on Appropriations filed a favorable report on House bill No. 11.

The Committee on Appropriations filed an adverse report on Senate bill No. 7.

The Committee on Revenue and Taxation filed a favorable report on House bill No. 13.

The Committee on Claims and Accounts filed favorable reports on Senate bills Nos. 10 and 14, and House bill No. 12.

The Committee on Engrossed Bills reported as follows: House bills Nos. 3, 6 and 13.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, July 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 13, A bill to be entitled "An Act amending Article 7043, Revised

Statutes, 1925, relating to powers and duties of State Tax Board in respect to calculating the ad valorem rate of such Board, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, July 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 3, A bill to be entitled "An Act making appropriation for the support and maintenance of the State government for the two-year period beginning September 1, 1929, and ending August 31, 1931, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, July 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 6, A bill to be entitled "An Act providing for the relief of Cuba Common School District No. 32, of Johnson county, Texas; to aid said district to reconstruct a public school building and to equip same; appropriating two thousand dollars (\$2000) for reconstructing the public school building, and appropriating five hundred dollars (\$500) for equipping same; prescribing the manner in which the funds hereby appropriated shall be paid, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, July 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 4, Relating to United States Veterans' Bureau, etc.,

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

EIGHTH DAY.

(Monday, July 15, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.	Long of Houston.
Acker.	Long of Wichita.
Ackerman.	Loy.
Adkins.	Magee.
Anderson.	Mankin.
Avis.	Martin.
Baker.	Mauritz.
Bounds.	Maynard.
Bradley.	McCombs.
Brice.	McDonald.
Brooks.	McGill.
Carpenter.	McKean.
Coltrin.	Metcalfe.
Conway.	Minor.
Cox of Navarro.	Moore.
Cox of Lamar.	Morse.
Cox of Limestone.	Negley.
Davis.	Nicholson.
DeWolfe.	O'Neill.
Dunlap.	Palmer.
Finn.	Patterson.
Finlay.	Pavlica.
Forbes.	Petsch.
Gates.	Pool.
Gerron.	Pope of Jones.
Gilbert.	Prendergast.
Giles.	Purl.
Graves	Ray.
of Williamson.	Reader.
Graves of Erath.	Renfro.
Hardy.	Richardson.
Harding.	Rogers.
Harman.	Rountree.
Harrison.	Sanders.
Hines.	Savage.
Hogg.	Shaver.
Hopkins.	Shelton.
Hornaday.	Sherrill.
Hubbard.	Simmons.
Johnson	Sinks.
of Dimmit.	Snelgrove.
Johnson of Smith.	Speck.
Johnson of Scurry.	Stephens.
Justiss.	Stevenson.
Keeton.	Storey.
Keller.	Tarwater.
Kemble.	Thompson.
Kennedy.	Thurmond.
Kincaid.	Tillotson.
King.	Turner.
Kinnear.	Van Zandt.
Lee.	Vea